

HOUSE OF REPRESENTATIVES
Roll Call
JUDICIARY COMMITTEE

DATE: 2/21/07

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. RON STOKER, VICE CHAIR	/	
REP. DAVE GALLIK, VICE CHAIR	/	
REP. JULIE FRENCH	/	
REP. GEORGE EVERETT	/	
REP. HOLLY RASER	/	
REP. ROGER KOOPMAN	/	
REP. DOUGLAS CORDIER	/	
REP. KRAYTON KERNS	/	
REP. ROBYN DRISCOLL	/	
REP. KEN PETERSON	/	
REP. JESSE O'HARA	/	
REP. TOM MCGILLVRAY	/	
REP. DEBORAH KOTTEL	/	
REP. JOHN WARD		/
REP. BOB EBINGER	/	
REP. RICK JORE	/	
CHAIRMAN DIANE RICE	/	



HOUSE STANDING COMMITTEE REPORT

February 21, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Joint Resolution 38** (first reading copy -- white) be adopted.

Signed: _____

Diane Rice
Representative Diane Rice, Chair

- END -

Committee Vote:

Yes 12, No 5

Fiscal Note Required _____

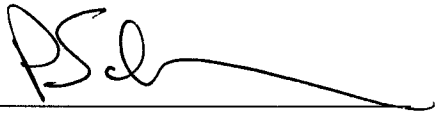
ump
2/21

391340SC.hjd

COMMITTEE FILE COPY

TABLED BILL

The HOUSE JUDICIARY COMMITTEE TABLED HB 696, HB 698, by motion, on **Wednesday, February 21, 2007**.



(For the Committee)



(Chief Clerk of the House)

1:25 2/21

(Time)

(Date)

February 21, 2007

Pamela E. Schindler, Secretary

Phone: 444-4607



HOUSE STANDING COMMITTEE REPORT

February 21, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 710** (first reading copy -- white) **do pass.**

Signed: _____

Diane Rice

Representative Diane Rice, Chair

- END -

Committee Vote:

Yes 9, No 8

Fiscal Note Required _____

mp
2/21

391341SC.hjd



HOUSE STANDING COMMITTEE REPORT

February 21, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 683** (first reading copy -- white) do pass as amended.

Signed: *Diane Rice*
Representative Diane Rice, Chair

And, that such amendments read:

1. Title, line 7.

Following: "ACT"

Insert: ", "

Strike: "OR"

2. Title, line 8.

Following: "ORDERS"

Insert: ", OR A COURT ORDER"

3. Page 2, line 3.

Following: "10."

Insert: "A full guardian may petition the court for authority to consent to the withholding or withdrawal of life-sustaining treatment or to a do not resuscitate order. The court may grant that authority only upon finding that consent to the withholding or withdrawal of life-sustaining treatment or the do not resuscitate order is consistent with the ward's wishes to the extent that those wishes can be determined."

- END -

Committee Vote:

Yes 17, No 0

Fiscal Note Required ____

MP
2/21
391342SC.hjd



HOUSE STANDING COMMITTEE REPORT

February 21, 2007

Page 1 of 2

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 340** (first reading copy -- white) do pass as amended.

Signed: _____

Diane Rice
Representative Diane Rice, Chair

And, that such amendments read:

1. Page 2, line 6.

Strike: "or"

2. Page 2, line 7.

Following: "firearm"

Insert: "; or"

(d) obstructing a peace officer or public servant in a manner that violates 45-7-302

3. Page 2, line 20.

Strike: "A"

Insert: "Unless a firearm is seized pursuant to 46-5-401, a"

4. Page 3, line 1.

Following: "seized"

Insert: ", unless a court order is obtained to retain the firearm,"

5. Page 3, line 5.

Following: "guilty"

Insert: "if no other charges directly relating to the firearm are pending"

6. Page 4, line 19.

Strike: "just prior to"

Insert: "if"

7. Page 4, line 25.

Committee Vote:

Yes 11, No 2

Fiscal Note Required _____

ump
2/21
391343SC.hjd

February 21, 2007

Page 2 of 2

Following: "imposed"

Insert: ", who has not been granted a permit pursuant to 45-8-314
to purchase and possess a firearm,"

8. Page 4, lines 25 and 26.

Strike: "just prior to"

Insert: "if"

- END -



HOUSE STANDING COMMITTEE REPORT

February 21, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 549** (first reading copy -- white) **do pass as amended.**

Signed: _____

Diane Rice
Representative Diane Rice, Chair

And, that such amendments read:

1. Title, line 6.

Following: ";"

Insert: "PROVIDING AN APPROPRIATION;"

2. Page 6.

Following: line 29

Insert: "NEW SECTION. **Section 4. Appropriation.** There is appropriated \$200,000 from the general fund to the department of justice for the biennium ending June 30, 2009, for the implementation of [sections 1 through 3]"

- END -

Committee Vote:

Yes 10, No 7

Fiscal Note Required ____

4mp
2/21
391345SC.hjd

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/21/07 BILL NO 38 MOTION NO. 1
 MOTION: _____

H 38 - Dolan

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	/		
REP. DAVE GALLIK, VICE CHAIR		/	
REP. JULIE FRENCH		/	
REP. GEORGE EVERETT	/		
REP. HOLLY RASER		/	
REP. ROGER KOOPMAN	/		
REP. DOUGLAS CORDIER	/		
REP. KRAYTON KERNS	/		
REP. ROBYN DRISCOLL		/	
REP. KEN PETERSON	/		
REP. JESSE O'HARA	/		
REP. TOM MCGILLVRAY	/		
REP. DEBORAH KOTTEL	/		
REP. JOHN WARD	/		/
REP. BOB EBINGER		/	
REP. RICK JORE	/		
CHAIRMAN DIANE RICE	/		

12/5

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/21/07 BILL NO. 696 MOTION NO. 1
 MOTION: _____

DOPAS

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR		/	
REP. DAVE GALLIK, VICE CHAIR	/		
REP. JULIE FRENCH	/		
REP. GEORGE EVERETT		/	
REP. HOLLY RASER	/		
REP. ROGER KOOPMAN		/	
REP. DOUGLAS CORDIER	/		
REP. KRAYTON KERNS		/	
REP. ROBYN DRISCOLL	/		
REP. KEN PETERSON		/	
REP. JESSE O'HARA		/	
REP. TOM MCGILLVRAY		/	
REP. DEBORAH KOTTEL	/		
REP. JOHN WARD		/	/
REP. BOB EBINGER	/		
REP. RICK JORE		/	
CHAIRMAN DIANE RICE		/	

7 / 10

New/Talp

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/2/07 BILL NO. 698 MOTION NO. 1
MOTION: _____

Do Pass

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR		/	
REP. DAVE GALLIK, VICE CHAIR	/		
REP. JULIE FRENCH	/		
REP. GEORGE EVERETT		/	
REP. HOLLY RASER	/		
REP. ROGER KOOPMAN		/	
REP. DOUGLAS CORDIER	/		
REP. KRAYTON KERNS		/	
REP. ROBYN DRISCOLL	/		
REP. KEN PETERSON	/		
REP. JESSE O'HARA		/	
REP. TOM MCGILLVRAY		/	
REP. DEBORAH KOTTEL	/		
REP. JOHN WARD		/	/
REP. BOB EBINGER	/		
REP. RICK JORE		/	
CHAIRMAN DIANE RICE		/	

8/9

Notable

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/21/07 BILL NO 710 MOTION NO. 1
MOTION _____

Dofers

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
REP. DAVE GALLIK, VICE CHAIR	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
REP. JULIE FRENCH	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
REP. GEORGE EVERETT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
REP. HOLLY RASER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
REP. ROGER KOOPMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
REP. DOUGLAS CORDIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
REP. KRAYTON KERNS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
REP. ROBYN DRISCOLL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
REP. KEN PETERSON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
REP. JESSE O'HARA	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
REP. TOM MCGILLVRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
REP. DEBORAH KOTTEL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
REP. JOHN WARD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
REP. BOB EBINGER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
REP. RICK JORE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
CHAIRMAN DIANE RICE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

9/8

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/21/07 BILL NO. 340 MOTION NO. 2
 MOTION: amend Roll Call Deception
Remain Sec 2

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	/		
REP. DAVE GALLIK, VICE CHAIR	/		
REP. JULIE FRENCH	/		
REP. GEORGE EVERETT	/		
REP. HOLLY RASER	/		
REP. ROGER KOOPMAN	/		
REP. DOUGLAS CORDIER	/		
REP. KRAYTON KERNS	/		
REP. ROBYN DRISCOLL	/		
REP. KEN PETERSON	/		
REP. JESSE O'HARA	/		
REP. TOM MCGILLVRAY	/		
REP. DEBORAH KOTTEL	/		
REP. JOHN WARD	/		/
REP. BOB EBINGER	/		
REP. RICK JORE	/		
CHAIRMAN DIANE RICE	/		

M/O

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/21/07
 MOTION: _____

BILL NO. HB340

MOTION NO. 4

Amend Hallik
Conceptual - Remedy Sect. 2)

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR		—	
REP. DAVE GALLIK, VICE CHAIR	—		
REP. JULIE FRENCH	—		
REP. GEORGE EVERETT		—	
REP. HOLLY RASER	—		
REP. ROGER KOOPMAN		—	
REP. DOUGLAS CORDIER	—		
REP. KRAYTON KERNS		—	
REP. ROBYN DRISCOLL	—		
REP. KEN PETERSON		—	
REP. JESSE O'HARA		—	
REP. TOM MCGILLVRAY	—	⓪	
REP. DEBORAH KOTTEL		—	
REP. JOHN WARD		—	—
REP. BOB EBINGER	—		
REP. RICK JORE		—	
CHAIRMAN DIANE RICE		—	

7/10

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/21/07 BILL NO 340 MOTION NO. 5 (French)
 MOTION: Amend - Concept. Page 1 Line 12

"and beyond question."

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR		<input checked="" type="checkbox"/>	
REP. DAVE GALLIK, VICE CHAIR	<input checked="" type="checkbox"/>		
REP. JULIE FRENCH	<input checked="" type="checkbox"/>		
REP. GEORGE EVERETT		<input checked="" type="checkbox"/>	
REP. HOLLY RASER	<input checked="" type="checkbox"/>		
REP. ROGER KOOPMAN		<input checked="" type="checkbox"/>	
REP. DOUGLAS CORDIER	<input checked="" type="checkbox"/>		
REP. KRAYTON KERNS		<input checked="" type="checkbox"/>	
REP. ROBYN DRISCOLL	<input checked="" type="checkbox"/>		
REP. KEN PETERSON	<input checked="" type="checkbox"/>		
REP. JESSE O'HARA		<input checked="" type="checkbox"/>	
REP. TOM MCGILLVRAY		<input checked="" type="checkbox"/>	
REP. DEBORAH KOTTEL	<input checked="" type="checkbox"/>		
REP. JOHN WARD		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
REP. BOB EBINGER	<input checked="" type="checkbox"/>		
REP. RICK JORE		<input checked="" type="checkbox"/>	
CHAIRMAN DIANE RICE		<input checked="" type="checkbox"/>	

00/9

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/21/07 BILL NO 340 MOTION NO. 3
 MOTION: _____

Do Pass As Amended

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	<i>-</i>		
REP. DAVE GALLIK, VICE CHAIR			<i>Abstaining</i>
REP. JULIE FRENCH			<i>Abstaining</i>
REP. GEORGE EVERETT	<i>-</i>		
REP. HOLLY RASER			<i>Abstaining</i>
REP. ROGER KOOPMAN	<i>-</i>		
REP. DOUGLAS CORDIER		<i>-</i>	
REP. KRAYTON KERNS	<i>-</i>		
REP. ROBYN DRISCOLL		<i>-</i>	
REP. KEN PETERSON	<i>-</i>		
REP. JESSE O'HARA	<i>-</i>		
REP. TOM MCGILLVRAY	<i>-</i>		
REP. DEBORAH KOTTEL	<i>-</i>		
REP. JOHN WARD	<i>-</i>		<i>-</i>
REP. BOB EBINGER			<i>Abstaining</i>
REP. RICK JORE	<i>-</i>		
CHAIRMAN DIANE RICE	<i>-</i>		

11/2
4 abstained

s:/JudicRollCallVote2007.wpd

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/21/07 BILL NO 549 MOTION NO. 5
 MOTION: _____

Amend - concept Page 6, line 29
Page 6, lines 5, 6...

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR			
REP. DAVE GALLIK, VICE CHAIR			
REP. JULIE FRENCH			
REP. GEORGE EVERETT			
REP. HOLLY RASER			
REP. ROGER KOOPMAN			
REP. DOUGLAS CORDIER			
REP. KRAYTON KERNS			
REP. ROBYN DRISCOLL			
REP. KEN PETERSON			
REP. JESSE O'HARA			
REP. TOM MCGILLVRAY			
REP. DEBORAH KOTTEL			
REP. JOHN WARD			
REP. BOB EBINGER			
REP. RICK JORE			
CHAIRMAN DIANE RICE			

7/10

HOUSE OF REPRESENTATIVES

Roll Call Vote

JUDICIARY COMMITTEE

DATE

2/21/07

BILL NO.

549

MOTION NO.

6

MOTION:

Deborah Kottel

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
REP. DAVE GALLIK, VICE CHAIR	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
REP. JULIE FRENCH	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
REP. GEORGE EVERETT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
REP. HOLLY RASER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
REP. ROGER KOOPMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
REP. DOUGLAS CORDIER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
REP. KRAYTON KERNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
REP. ROBYN DRISCOLL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
REP. KEN PETERSON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
REP. JESSE O'HARA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
REP. TOM MCGILLVRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
REP. DEBORAH KOTTEL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
REP. JOHN WARD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
REP. BOB EBINGER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
REP. RICK JORE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
CHAIRMAN DIANE RICE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

10/7

AUTHORIZED COMMITTEE PROXY

I request to be excused from the House
JUDICIARY

Committee because of other commitments I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT AYE NO

BILL/AMENDMENT AYE NO

2/21/07	AS 38	X	
	HB 196		X
8/9	HB 698		X
9/8	HB 710	X	
	HB 683-A	X	
	HB 340 + Aye	X	
	Rep Sec 2		X
	HB 340	X	
	HB 549 2nd Aye	X	
	CONC Amend		X
	HB 549 + D	X	

Rep.

John Hard
(Signature)

Date

**Montana House of Representatives
Visitors' Register**

Judiciary

COMMITTEE

Date **2/21/07**

Bill Nos. **683, 695, 696, 698, 710, HJ 38**

Sponsor(s)

Reinhart, Menuth, Windy Bay, Pounichowski, Jore

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name	Representing	Bill No.	Support	Oppose	Info.
George Detweiler	self	H.J. 38	✓		
Leo Barry	U M I A	695	✓		
Ed Eley	Dept of Corrections	H. 698			✓
KERRY PAIANOW	Dept of Corrections	HB 696			✓
Bill Mahr	self	HB 710	✓		
Pam Buey	DOT	HB 696	✓		
Nanette Gilbertson	MT County Attorneys Assn.	HB 696	✓		
Kelsin Young	MCADSV	HB 696	X		
Kris Mena	self	HB 710	X		
Moe Wosepka	Mont Cath Conf	HB 698	X		
Jenny Haubenreiser	MADD	HB 710	X		
A. Smith	MTLA	HB 695		X	
Mike Weber	MCAA	HB 696	X		
Beth Brennenman	MT Advocacy Program	HB 683	X		
Tom Ebzery	SV, Holy Rosary, St James	HB 695	X		
LARRY E. RILEY	Utah Mel for to	H 695	✓		
Erin McGowan Fincham	SAO	HB 695			✓
MARIC TAYLOR	MHA / INS. EXCH. YELLOWSTONE	HB 695	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

50/12/12

not a child, human, human
not a child, human, human

not a child

not a child, human, human
not a child, human, human